

MINUTES

WARRICK COUNTY AREA BOARD OF ZONING APPEALS BY HEARING OFFICER

Special Meeting held in the Plan Commission Office,
Room 201, Historic Courthouse, Boonville, Indiana

August 30, 2018 – 9:00 AM

Present were: Molly Barnhill, Assistant Director and acting as Hearing Officer for the Warrick County Area Board of Zoning Appeals. Also present was Katelyn Cron, Recording Secretary.

BZA-V-18-20

APPLICANT/OWNERS: Jeffery and Chelsie Clark

PREMISES AFFECTED: Property located on the W side of Nester Hill Rd. Approximately 550' W of the intersection formed by Bell Rd and Nester Hill Rd. Ohio Twp. 22-6-9 3133 Nester Hill Rd. Complete legal on file.

NATURE OF CASE: Applicant requests a Variance from the requirements as set forth in the Comprehensive Zoning Ordinance in effect for Warrick County, IN to allow an Improvement Location Permit to be issued for a single family dwelling not fronting a dedicated street or right of way maintained by the county in an "A" Agricultural Zoning District. Access is by 32.6' ingress egress easement.

Present were Jeffery and Chelsie Clark.

Mrs. Barnhill explained that an Ordinance was adopted by the Area Plan Commission and Board of County Commissioners, which amended the Comprehensive Zoning Ordinance to provide a more expedient process for some matters that are heard by the Board of Zoning Appeals. She stated this Ordinance designated the Executive Director as a Hearing Officer for the Board of Zoning Appeals and if this process is followed, instead of advertising the application for public hearing before the Board, the applicant must take an affidavit of non-objection and obtain the signatures of the adjoining or adjacent property owners the Hearing Officer determines that need to be notified of the application. She explained that upon obtaining those signatures, and if all the parties signed that they do not object, the Executive Director will then hold the hearing without waiting for a Board Hearing. She stated in this situation, a hardship would be imposed on the applicants if they had to wait until the next Board meeting on September 24, 2018.

Mrs. Barnhill stated the Variance is to allow an Improvement Location Permit to be issued for a single family dwelling not fronting a dedicated street or right of way maintained by the county in an "A" Agricultural Zoning District. She said they will obtain access by a 32.6' ingress egress easement and a variance is needed for the applicant to stay in compliance with the Comprehensive Zoning Ordinance.

The Hearing Officer approved the application, subject to the following conditions:

- a) Subject to an Improvement Location Permit being obtained.
- b) Subject to a Building Permit being obtained.

- c) Subject to the property being in compliance at all times with the applicable zoning ordinances of Warrick County.
- d) Subject to all utility easement and facilities in place.
- e) Hold Harmless Agreement

August 30, 2018
Date Approved

Molly Barnhill
Assistant Director